

Provisional Election and Remarks

In the Office Action, restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-14, 19-27, 29-37, drawn to facilitating development of programs, classified in class 717, subclass 100.
- II. Claims 15-18, 28, 38-39, drawn to document processing/spreadsheets, classified in class 715, subclass 503.

In response to this restriction requirement, applicant hereby provisionally elects Group I, claims 1-14, 19-27, 29-37 for prosecution at this time. However, applicant respectfully traverses the restriction requirement for the following reason.

A proper restriction requires that there be a burden on the Patent Office to examine the claims together. If there is no burden, the restriction, regardless of the content of the claims, is not proper. (See M.P.E.P. §803.) In this case, a burden upon the Office is indicated because the claims of the inventions are classified in different classes/subclasses. However, applicant respectfully submits that the subject matter recited in Group II is closely related to that recited in the claims of Group I. In fact, applicant respectfully submits that a complete search of Group I should entail examination of the other referenced class and subclass.

For example, claim 15 of Group II includes the elements of using an interface to provide data to a spreadsheet, the interface providing exclusive input access to the spreadsheet; and using the interface to obtain data from the spreadsheet, the interface providing exclusive output access to the spreadsheet. Similarly, dependent claim 12 of Group I recites the interface provides exclusive input access to the spreadsheet of the program, and dependent claim 13 of Group I recites the interface provides exclusive output access to the spreadsheet of the program. Thus, applicant respectfully submits that the substance of claim 15 will be searched during examination of, for instance, claims 12

and 13 of Group I, and therefore, there is no burden on the Office to search both groups of claims. Similar arguments can be made for each of the claims of Group II.

Based on the foregoing, and in particular, because of the closeness of the subject matter, and the probable overlapping searches, applicant respectfully submits that there would be no additional burden on the Examiner to examine the Group II claims, claims 15-18, 28, 38-39 in one application with the Group I claims, claims 1-14, 19-27, 29-37. Accordingly, applicant requests reconsideration and withdrawal of the outstanding restriction requirement.

Should there be any questions concerning this communication, please contact the undersigned.

Respectfully submitted,

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